

(Rev. 5/29/07)

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

MAGNOLIA ISLAND PLANTATION,
ET AL.

Civil No. 5:18-CV-1526

Plaintiff

VS.

Judge Foote

LUCKY FAMILY, L.L.C., ET AL.

Magistrate Judge Hayes

Defendant

RULE 26(f) CASE MANAGEMENT REPORT

A meeting of counsel (and any unrepresented parties) was held on April 3, 2019 by telephone or in person. The following persons participated: [List all parties and their counsel, if any].

Magnolia Island Plantation, L.L.C. represented by J. Davis Powell

Barbara Marie Carey Lollar represented by J. Davis Powell

Lucky Family, L.L.C. represented by David M. Touchstone

W.A. Lucky, III represented by Curtis R. Shelton

Julian C. Whittington, Sheriff of Bossier Parish, represented by Glenn L. Langley and Julianna P. Parks

1. **Nature of Plaintiff's Claim:** (*Identify the basic nature of Plaintiff's primary claim. For example, "employment discrimination (sex)," "personal injury (slip and fall)," "civil rights (excessive force)," "copyright infringement (software)" or "breach of contract (oil and gas)." Do not summarize or restate the allegations of the complaint.*)

Civil Rights

2. **Bench or Jury Trial:** (*Has any party demanded a trial by jury? If so, identify the pleading containing the jury demand.*)

Yes. Complaint to Annul Sheriff's Sale and for Other Relief. Document No. 1.

3. **Initial Disclosures:** (*Have the parties exchanged initial disclosures? If not, explain.*)

No. The deadline for exchange of initial disclosures has been set by the Court for April 10, 2019. The parties anticipate that initial disclosures will be exchanged on or before that date.

4. **Jurisdiction:** *(Does any party challenge the court's subject matter jurisdiction over this case? If so, briefly explain the basis for the challenge.)*

There are no challenges to the Court's subject matter jurisdiction.

5. **Joinder of Parties and Amendment of Pleadings:**

A. *Does any party anticipate seeking leave to amend a pleading or add a party?*

Yes.

B. *If so, describe briefly the anticipated amendments and identify any potential new parties and the nature of the claim against them.*

Lucky Family, L.L.C. has filed an answer and counterclaim and intends to file an amended answer and counterclaim more fully to state its defense and to set forth its claims on the Note and Credit Sale Deed.

C. *State a proposed deadline for all amendments. If any party requests a deadline that is more than 30 days after the date of the scheduling conference, provide a detailed explanation.*

May 17, 2019.

6. **Discovery Issues:** *(Absent stipulation or leave of court, the court will enforce the limitations on discovery in the F.R.C.P., including no more than 10 depositions per side [Rule 30(a)(2)]; each deposition is limited to one day of seven hours [Rule 30(d)(2)]; and no more than 25 interrogatories per party [Rule 33(a)]. With those rules, and the issues identified in F.R.C.P. 26(f)(1)-(4), in mind:)*

A. *Each party shall briefly describe (i) any discovery disputes the party anticipates may arise and (ii) any relief the party requests from the court in connection with the discovery issues.*

The parties do not anticipate any discovery disputes.

B. *State a proposed deadline for completion of all discovery. If any party requests a deadline that is more than 5 months after the date of the scheduling conference, provide a detailed explanation.*

September 17, 2019. Plaintiffs request a separate discovery deadline for expert discovery be established based upon any dates set by the Court for expert reports.

7. Motion Practice:

a. Identify all pending motions.

None.

b. Does either party anticipate filing a case dispositive motion? If so, (i) identify the proposed motion and (ii) state a proposed deadline for dispositive motions.

Yes. Plaintiffs may file a dispositive motion as to one or more issues. Lucky Family, L.L.C. intends to file a motion for summary judgment on the Note and Credit Sale Deed it purchased at the sheriff's sale. W. A. Lucky, III, Lucky Family, L.L.C. and Julian C. Whittington, Sheriff of Bossier Parish, intend to file motions for summary judgment on the plaintiffs' claims. W. A. Lucky, III, Lucky Family, L.L.C. and Julian C. Whittington, Sheriff of Bossier Parish propose a deadline of October 31, 2019, for the filing of dispositive motions.

8. Alternative Dispute Resolution: *(In accordance with Local Rule 16.3.1 and 28 U.S.C. § 652, the parties must consider the use of alternative dispute resolution (ADR). State the position of the parties on whether this case is amenable to ADR and, if so, what form of ADR is considered most appropriate.*

The parties are willing to participate in alternative dispute resolution through mediation. However, plaintiffs and W.A. Lucky, III have been previously unsuccessful in settlement efforts in prior litigation.

9. Related Cases: *(Is this case related to another case pending in the Western District of Louisiana? If yes, give the name, docket number and a brief description of the other case.*

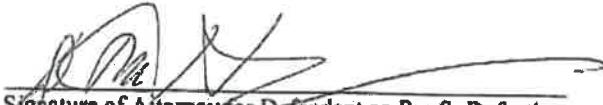
No. However, this case is related to two cases that were commenced in the 26th Judicial District Court for Bossier Parish, Louisiana: W. A. Lucky, III vs. Barbara Marie Carey Carr; number 127,573; Section F; 26th Judicial District Court; Bossier Parish, Louisiana, pending on application for a writ of certiorari to the Louisiana Supreme Court in Docket No. 2019-C-261; W.A. Lucky, III v. Barbara Marie Carey Carr; and W. A. Lucky, III vs. Barbara Marie Carey Lollar, et al.; number 155,392; Section A; 26th Judicial District Court; Bossier Parish, Louisiana

10. Trial by Magistrate Judge: (Do all parties consent to trial before the assigned magistrate judge?)

No.


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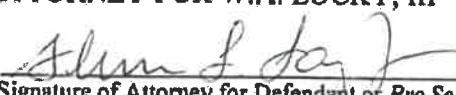
ATTORNEY FOR PLAINTIFFS


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